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MEMORANDUM ENDORSED

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March 23, 2020

VIA ECF

Hon. Gabriel W. Gorenstein
Chief U.S. Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
Courtroom 6B
New York, New York 10007-1312

Re: *Angel Hernandez v. Office of the Commissioner of Baseball, et al.*
No. 18 Civ. 9035 (JPO) (GWG)

Dear Judge Gorenstein:

We represent Plaintiff in the above-referenced matter and respectfully submit this joint request with Defendants for an extension of the schedule for the parties' respective summary judgment motions, oppositions and replies.

As noted in Plaintiff's February 7, 2020 letter (Dkt. No. 130), both sides intend to move for summary judgment. Plaintiff and the Defendants previously agreed to the following schedule, which was submitted to the Court via a letter from Defendants' counsel on February 21, 2020 (Dkt. No. 132) and approved by the Court via Memo Endorsement on February 27, 2020 (Dkt. No. 133):

On or before March 27, 2020	Plaintiff files motion for summary judgment.
On or before April 24, 2020	Defendants file opposition to Plaintiff's motion and cross-motion for summary judgment
On or before May 22, 2020	Plaintiff files opposition to Defendants' cross-motion and reply in support of his motion.
On or before June 12, 2020	Defendants file reply in support of their cross-motion.

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The parties respectfully request that the Court order an extension of the deadlines for the parties' motions, oppositions and replies as follows, extending each of the existing deadlines by 28 days:

On or before April 24, 2020	Plaintiff files motion for summary judgment.
On or before May 22, 2020	Defendants file opposition to Plaintiff's motion and cross-motion for summary judgment
On or before June 19, 2020	Plaintiff files opposition to Defendants' cross-motion and reply in support of his motion.
On or before July 10, 2020	Defendants file reply in support of their cross-motion.

No previous request for extension of the foregoing deadlines has been made.

The parties request the extension of the deadlines set forth above because of the National Emergency declared on March 13, 2020 concerning the novel coronavirus disease (COVID-19) and the limitations imposed on the activities of the attorneys for Plaintiff and Defendants by state authorities in the respective jurisdictions in which they live and/or maintain their respective offices as a result of the pandemic.

The Standing Order issued by Chief United States District Judge Colleen McMahon entered March 13, 2020 *In re: Coronavirus/COVID-19 Pandemic*, 20 Misc. 00154, provides that "Individual judges presiding over civil and criminal proceedings may take such actions consistent with this order as may be lawful and appropriate to ensure the fairness of the proceedings and preserve the right of the parties." *Id.* at ¶4. In the circumstances presented, granting the extensions of the foregoing deadlines is lawful and appropriate to ensure the fairness of the proceedings to both the Plaintiff and the Defendants and to preserve the rights of the parties.

The parties appreciate the Court's consideration of this joint request.

Respectfully submitted,

/s/ Kevin L. Murphy

Kevin L. Murphy

cc: All Counsel (via ECF)

The proposed schedule is so ordered.

Dated: March 23, 2020



GABRIEL W. GORENSTEIN
United States Magistrate Judge